

Serial No.: 10/764,372  
Atty. Docket No.: D5282

### **REMARKS**

In a final Action mailed 14 April 2005 the Examiner maintained the rejection of Claims 8-12 under 35 USC Sec. 102. The only reference at issue remains Belik et al. (US-Pat. 4,469,369). Claim 8 has been amended. Claims 8-12 remain active. Claims 1-7 and 13-17 were previously withdrawn.

The amendment of claim 8 emphasizes that a body is built on a vehicle chassis by attachment of module sections to the chassis. This emphasizes a point believed inherent in the previously submitted claim and thus no new issue is believed raised.

The Examiner concluded that the limitations that applicant relied to distinguish Claim 8 over the Belik '369 reference "were not recited in the rejected claims". However, the primary feature on which the applicants rely is the step of providing a chassis on which a bus body is constructed. The first element of claim 8 is "providing a chassis". The claim later provides for "attaching the sub-combination of [selected] intermediate section types in longitudinal alignment to the chassis." (Emphasis supplied). Belik, having merged chassis sections and body sections, forms on chassis only upon end to end assembly of the sections. As stated in Belik, "A module element 1 of a city bus comprises . . . a window section 2 of the body, a door section 3 of the body, jointed with the window section 2, and a chassis unit 4." Belik '369 patent, col. 4, lines 40-43. Further, an "intermediate body section 31 is a transverse body section open at the ends thereof . . . [and] is similar to . . . the window section 2 incorporated into the module element 1, except that the former does not have wheel recesses 10 . . ." Belik '369 patent, col. 5, line 61 to col. 6, line 2. Because Belik does not teach "providing a chassis" to which modular elements are attached to form a body, the reference cannot anticipate claim 8.

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Belik teaches away from the invention by asserting that bus bodies built on chassis are "an original single unit structure". He apparently does not comprehend that they could be modularized as was achieved by the present inventors. See Belik '369 patent, col. 1, lines 37-46 and compare with paragraph [007] of the present application.

Finally, Belik does not teach providing as wide a variety of intermediate sections as does the present invention and as claimed in claim 8. In particular no "auxiliary door module" is disclosed. Again, the reference cannot serve as an anticipating reference.

The remaining dependent claims recite still further elements distinguishing the invention over the prior art. Applicant believes the Claims as amended, or newly submitted, are in condition for allowance and respectfully requests favorable action by the Examiner.

Respectfully submitted,



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**CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8**

I hereby certify that this **AMENDMENT AFTER FINAL** is being facsimile transmitted to the Patent and Trademark Office on or before 6/14/05 to (703) 872-9306.

Date: 6/14/05

  
Cathi Majewski